

JOHNSON (W. B.)

# Present Status of Legislation

—FOR THE—

## PREVENTION OF BLINDNESS.

BY

WALTER B. JOHNSON, M. D.,

PATERSON, N. J.

Presented by the author

Reprinted from the *Transactions of the Medical Society of New Jersey*, 1893.



NEWARK, N. J.

L. J. HARDHAM, Printer and Binder, 243 & 245 Market Street.

1893.



# Present Status of Legislation

—FOR THE—

## PREVENTION OF BLINDNESS.

BY

WALTER B. JOHNSON, M. D.,

PATERSON, N. J.

*Reprinted from the Transactions of the Medical Society of New Jersey, 1893.*



NEWARK, N. J.

L. J. HARDHAM, Printer and Binder, 243 & 245 Market Street.

1893.



## Present Status of Legislation for the Prevention of Blindness.

---

The rapid increase in the proportionate numbers of the blind in this country during the last decade being over four times greater than the percentage of increase in the population, has attracted the attention of ophthalmic surgeons and others, to a consideration of the best means to prevent the occurrence and spread of the diseases which are the prime factors in producing the conditions, and to the suggestion and probable enactment of laws which will ensure skilled and prompt medical treatment in the early stages of the diseases, when an unfavorable termination may possibly be averted.

The prevention of blindness has been written upon and discussed in foreign countries, and suggestions have been offered and adopted, and laws enacted in England, Germany, France and Switzerland by Wilde, Fuchs, Magnus, Adder, Steffan and others.

In 1881 Dr. C. R. Agnew, in his notes on "Contagious Diseases of the Eye in Schools and Asylums," suggested the possibility of the prevention of blindness by legal enactment in the following words:

"Diseases of the conjunctiva and of the cornea are largely the cause of prevailing blindness, and yet they belong in a great degree to the class of preventable diseases. The fact that they do fall into this class gives to the sanitarian and to the legislator a special oppor-

tunity and advantage for inquiry, advice and legal enactment, to limit or prevent their prevalence."

Dr. Charles J. Kipp, in an essay read at a meeting of this Society in 1884, on the "Prevention and Treatment of Purulent Conjunctivitis," from which the following is an extract, advocated the placing of the care of such infectious cases in the hands of the State Board of Health, pages 98 and 99, New Jersey State Medical Society Report, 1884:

"In England and other parts of Europe measures looking to the dissemination among the people of knowledge regarding the cause of the ophthalmia of the new-born, and the means to be resorted to for its prevention, have lately been under discussion in medical societies, and steps have been taken to distribute among all classes of society cards of instruction, drawn up in the simplest possible language. The same might be done here by our State Board of Health, which has already done so much to enlighten the people with regard to the causes and the prevention of disease; and I have no doubt that if this Society should see fit to recommend the publication of a circular embodying such information, the State Board would gladly do this. Most of the cases of blindness from ophthalmia neonatorum which have come under my notice were, as I have before remarked, the result of neglect on the part of the parents to put the case in the hands of a competent physician at the beginning of the disease; and it is therefore reasonable to expect at least a reduction in the number of the hopelessly blind in the future, if the people are made aware that by early treatment of the disease the eye can be saved, and that neglect will probably result in blindness.

"I believe it to be the duty of every physician attending a case of purulent conjunctivitis to point out to the

persons living with the patient the very contagious nature of the discharge from the eye, and to warn them not to use any of the towels, washbowls and other articles used by the patient. Whenever it can be done, the patient should be isolated, and the nurses attending him should not only be compelled to wash their hands thoroughly with some disinfectant every time they have dressed the eye, but should be prohibited from going into other rooms.

“On motion, it was resolved that the attention of the State Board of Health be called to the contagion of ophthalmia which can be guarded against by circulars of instruction to families.”

In 1887 Dr. Lucien Howe, of Buffalo, presented some notes on the “Increase of Blindness in the United States,” at the twenty-third annual meeting of the American Ophthalmological Society, and suggested that a committee be appointed by the society to investigate the subject. He demonstrated in his article, by a comparative table of the statistics of the census of 1870 and 1880, that “While the population had increased 30.09 per cent., the number of blind had increased 140.78 per cent. That the greatest proportion of blindness is nearest the centre of density of population and also nearest that portion of the country where immigration would be apt to exercise the most influence upon the native population, and that blindness in the United States is largely due to contagious diseases.”

Resolutions were adopted by the society which called for the appointment of a committee of three, to examine further as to the apparent increase in the number of blind in the United States, and recommended means for its prevention. Doctors Lucien Howe, Swan M. Burnett and J. A. Andrews were appointed as this committee.

Dr. Howe, in 1889, also presented at the annual meeting of the New York Society an article on the "Purulent Conjunctivitis of Infants and Blindness in New York State," showing that the census of 1870 and 1880 indicated that the number of blind in the State has increased eight times faster than the population, although he admitted that the returns were probably more complete in 1880 than in 1870, while maintaining that the indicated per cent. of increase was probably very nearly correct.

He also, by the careful study of the statistics regarding purulent conjunctivitis in infants, showed that nearly 25 per cent. of all the cases of blindness resulted from this disease.

The method of Crede, which consists in a thorough cleansing of the eyes of the infant immediately after birth and then applying to them a two per cent. solution of nitrate of silver, was recommended to all obstetricians as a routine practice in every case. He also suggested the following course of action:

"First, to call the attention of the profession in general to the apparent increase of blindness, to the importance of ophthalmia in children and to the efficacy of proper means of preventing it. Second, to request the examiners of nurses and midwives, to require of the candidates some knowledge of the dangers of ophthalmia of infants and an acquaintance with the methods of prophylaxis now in use. Third, to instruct our committee on legislation to formulate and recommend the passage of a law by which all midwives in the state shall be obliged to report the existence of any case of infant ophthalmia within twenty-four hours after its occurrence to the family physician, to the district physician, or to some legally qualified practitioner."

By unanimous vote of the New York State Society,

these recommendations were finally adopted, and as a result of the efforts of the committee on legislation, the following law was enacted :

*The People of the State of New York, Represented in Senate and Assembly, do enact as follows :*

**SECTION 1.** Should any midwife or nurse having charge of an infant in this state, notice that one or both eyes of such infant are inflamed or reddened at any time within two weeks after its birth, it shall be the duty of the midwife or nurse so having charge of such infant, to report the fact in writing within six hours, to the health officer or some legally qualified practitioner of medicine of the city, town or district in which the parents of the infant reside.

**SEC. 2.** Any failure to comply with the provisions of this act shall be punished by a fine not to exceed one hundred dollars, or imprisonment not to exceed six months, or both.

**SEC. 3.** This act shall take effect on the first of September, eighteen hundred and ninety.

Copies of this law were sent to the physicians of the state enclosed with the following letter of explanation :

183 Delaware avenue.

BUFFALO, N. Y., June 2, 1890.

*Dear Doctor*—The Committee of the New York State Medical Society for the Prevention of Blindness, enclose to you herewith a copy of a law passed by the legislature during its last session. By thus calling the attention of certain members of the profession, of examiners of midwives and of midwives themselves, to the existence of such a law, it is hoped that its purpose may be better fulfilled. The committee would urge the desirability of promptly reporting cases of its violation to the County District Attorney or other proper legal authorities, either directly or through the County Medical Societies. And with a view to even more stringent regulations in the future, the Chairman of the committee would be obliged for information regarding any cases of conviction under this law.

Some of the cases tried under this law failed of conviction in consequence of the word "notice" in the second line of the law, the culprits claiming that they did not *notice* the redness or inflammation.

The law was supplemented by an act fathered by Eldridge T. Gerry, Chapter 325, page 681, volume 11, of the laws of the State of New York. The clause in reference to the prevention of blindness by suitable punishment, reads as follows: "When a midwife, nurse or other person having the care of an infant within the age of two weeks, neglects or omits to report immediately to the health officer or to a legally qualified practitioner of medicine of the city, town or place where such child is being cared for, the fact that one or both eyes of such infant are inflamed or reddened whenever such should be the case, or who applies any remedy therefore without the advice, or except by the direction of such officer or physician, the penalties prescribed by the law shall be enforced."

As far as could be ascertained the only action of any Boards in this State was taken by the State Board of Health in October, 1886, and by the State Board of Medical Examiners under an act of the Senate and General assembly of the State of New Jersey, entitled, "An act to regulate the practice of midwifery in the State of New Jersey," approved March 28, 1892.

This action consisted in placing the following condition on the official certificate to midwives: "Fifth condition. That you shall secure the attendance of a reputable physician *at once*, whenever the new-born infant is asphyxiated, is blue, or does not breathe or has any convulsions, deformity or malformation, retention of urine or feces, bleeding, redness or inflammation of the navel or *any swelling, redness or inflammation of, or discharge from the eyelids or eyes*, or any other abnormal condition."

The New Jersey State Board of Health have issued Circular No. 47, "Prevention of Serious Injuries to the Mind, the Eyes, the Ears," and also refer to the subject

of the prevention of blindness in Circular No. 78, "Protection of Schools from Communicable Diseases." In Circular 47, the result of neglected eye disease is carefully considered and C. R. Agnew, M. D., of New York extensively quoted. A very concise and complete set of rules credited to Dr. Charles J. Kipp, of Newark, entitled, "How to Prevent the Spread of Contagious Diseases of the Eye and What to do for Them," is incorporated in this circular.

The following salient points are worthy of special note: "Any affection of the eye which gives rise to the formation of much matter (discharge) may be looked upon as contagious. Teachers and persons in charge of asylums, schools, etc., should not permit a child with sore eyes to attend school or be admitted into an institution containing children, unless a competent physician has certified that the eye disease is not contagious."

Regarding purulent ophthalmia of infants the rule is "In all such cases it is the imperative duty of those in charge of the infant to see that a competent physician is placed in charge of the case, for if properly treated the disease will, in all probability, pass away without damage to the sight, while if it is neglected, hopeless blindness is only too often caused by it." It is said that nearly one-half of the inmates of the schools for the blind have lost their sight from this disease.

The circular is very carefully drawn throughout and would seem to be applicable to such cases and capable of accomplishing all that could be done by circulars alone, providing that a very general distribution was made to the physician of the State, also to all midwives, nurses and any other person having the care of infants who might develop the disease.

In 1890, at the meeting of the American Ophthalmo-

logical Society, Dr. Howe presented a paper and the committee, of which he was Chairman, appointed to inquire into the "Causes and Prevention of Blindness," made a report in which the following recommendations tending towards the enactment of laws in all parts of the United States, were offered for the consideration of the members of the Society:

*"First.* To familiarize the profession with the advantages of Crede's method as a means for lessening the number of cases of ophthalmia neonatorum. It is a lamentable fact that a large portion of physicians in active practice, and many obstetricians, are entirely ignorant of the advantages of this simple procedure, or, for some reason, have neglected to make any systematic attempts to test its efficacy. A great deal depends upon those whose practice affords them opportunities of seeing the dire effects of purulent ophthalmia, for by the presentation of papers at medical societies, or by discussions with persons with whom they come in contact, much good work can be done in this respect.

*"Second.* It should be the endeavor of those familiar with the subject to appeal particularly to the examiners of midwives, and, when possible, to midwives themselves, in order to impress upon them the dangers of ophthalmia neonatorum, or, still better, to encourage the enactment of laws in various states which would require nurses to promptly report every such case to some legally qualified practitioner. The fact that nurses and midwives in most states have a very irresponsible position which enables them to do much harm; the fact that a very little negligence or delay with this class of cases often results most disastrously to the patient, and the fact that the duty of nurses in this respect in foreign countries has already been established, and at least by one state in the Union,

inspires the hope that creditable reformation may take place in other parts of our own land.

“A certain amount of attention paid to these two suggestions by a few of the prominent American occultists might diminish appreciably the baneful results of that one disease, ophthalmia neonatorum, which produces the largest number of these unfortunate sufferers.

“*Third.* The committee would recommend that greater care be taken in instructing physicians to asylums and residential schools, and other persons having charge of such institutions, concerning the dangers of contagious ophthalmia in any form. Here, also, it would be well to seek the aid of legislation in limiting the number of inmates proportionally to the size of the school, to the air space in the dormitories, etc., as has been done already in the State of New York.

“*Fourth.* Greater care should be exercised in the prevention and intelligent treatment of cases of purulent conjunctivitis and other contagious conjunctival diseases of adults. In workshops, hotels and other public places, where practicable and advisable notices could be posted, calling attention to the danger of contagion from roller-towels, from imperfectly clean wash-basins, or similar sources of contamination.

“*Fifth.* In order to prevent the introduction of cases of trachoma and other forms of contagious eye diseases, it is desirable that more stringent regulations be made by the commissioners of immigration. Suspicious cases should be quarantined, and if there is danger of blindness to the individual he should be returned to his own country. It is certain that a considerable number are admitted each year, the condition of whose eyes necessitates application for public relief, either at the time of landing or soon after, and it is very probable that the

apparent increase of blindness in the United States is due, in no small degree, to the number of cases of contagious eye diseases, more or less developed, that come among the immigrants each year and are distributed to different parts of the country.

*“Sixth.* As a certain number of cases of very imperfect vision or blindness result directly or indirectly from myopia acquired in youth, superintendents or school teachers and parents ought to be instructed concerning those precautions, which taken early undoubtedly lessen the proportion of myopes. This phase of the subject has already received considerable attention in certain parts of the country and is too familiar to require any further mention.

*“Seventh.* As another considerable portion of cases of blindness are due to accidents which occur in factories and are the almost inevitable results of the pursuance of certain trades, it seems advisable to post notices near grindstones, in bottle shops, machine shops and similar places, cautioning the workmen against those habits of carelessness most apt to occasion accidents. This might be stated briefly, and a few words added, advising against the use of poultices, lead washes, etc., and other noxious forms of treatment.

*“Eighth.* Finally, the Committee would strongly recommend in the medical colleges throughout the country, more attention be given by the faculties to the course ophthalmology, making it as long and thorough as the requirements of other branches will admit. The Committee is fully aware that in making these statements and recommendations regarding the causes and prevention of blindness it simply formulates in brief what is for the most part well known from similar observations made in other countries. It is hoped, however,

that the action of this body in recognizing formally the importance of the subject, may draw to it the notice of practitioners in general, and it seems fitting that a society whose object is the advancement of ophthalmology should also be the pioneer in any combined effort of the professionion for the prevention of blindness."

LUCIEN HOWE, M. D.,  
SWAN W. BURNETT, M. D.,  
JOSEPH A. ANDREWS, M. D.

In closing the compilation indicating the present status of the laws and action of various bodies in relation to the prevention of blindness in this country, the writer would respectfully suggest that a committee be appointed to consider the desirability of furthering legislative action in this direction, in the State of New Jersey, and that the committee, if appointed, be requested to formulate a suitable plan of action and to present drafts of circulars and proposed laws at the next meeting of this Society.

The recommendations of the paper were unanimously adopted and the following committee appointed and requested to report at the next annual meeting of the Society: Walter B. Johnson, M. D., Charles J. Kipp, M. D., P. A. Harris, M. D.









